

**In re: MARVIN WINEGAR.
P&S Docket No. D-02-0020.
Order of Dismissal.
Filed August 30, 2002.**

Mary Hobbie, for Complainant.
Respondent, Pro se.
Order issued by Jill S. Clifton, Administrative Law Judge.

This is a disciplinary proceeding under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) herein referred to as the "Act", instituted by a complaint filed by the Acting Deputy Administrator, Grain Inspection Packers and Stockyards Administration, United States Department of Agriculture, charging that the respondent wilfully violated the Act.

Copies of the complaint and the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.130 *et seq.*) governing proceedings under the Act were served upon Respondent by certified mail.

Findings of Fact

1. Marvin Winegar, hereinafter referred to as the Respondent, is a individual whose mailing address is 9090 NE 38th, Altoona, Iowa 50009.
2. Respondent is, and at all times material herein was:
 - (a) Engaged in business of a market agency buying on commission livestock in commerce;
 - (b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account, and as a market agency buying on commission.
3. Respondent has an adequate bond or its equivalent as required by the Act and regulations.

Conclusions

By reason of the facts found in the Finding of Facts herein, Respondent is in compliance with section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the regulations (9 C.F.R. §§ 201.29, 201.30), therefore the complaint should be dismissed.

Order

Complaint is dismissed.
Copies hereof shall be served upon the parties

